

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EZEKIEL BARRERA	§	
VS.	§	CIVIL ACTION NO. 1:23-CV-382
RANDY JEWITT, ET AL.	§	

MEMORANDUM OPINION AND ORDER

Plaintiff Ezekiel Barrera, a prisoner confined at the Goree Unit of the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Correctional Officer Randy Jewitt and an unidentified Defendant. Plaintiff alleges Defendants, who are employed at the Goree Unit, used excessive force against him.

Discussion

When jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1391(b) provides that venue is proper in the judicial district where the defendants reside or in which the claim arose. Venue is not proper in the Eastern District of Texas, because Plaintiff alleges that the claims arose in the Southern District of Texas. Under 28 U.S.C. § 1404, the district court may transfer a civil action to any other district where it could have been brought for the convenience of parties and witnesses and in the interest of justice. The court has considered the circumstances and has determined that justice would be served by transferring this action to the district where the claims arose. It is accordingly

ORDERED that this civil rights action is **TRANSFERRED** to the Houston Division of the United States District Court for the Southern District of Texas.

SIGNED this the 30th day of October, 2023.

A handwritten signature in black ink, appearing to read 'C. Stetson', written over a horizontal line.

Christine L Stetson
UNITED STATES MAGISTRATE JUDGE